

The City Attorney
City of San Diego
MEMORANDUM
236-6220

DATE: April 1, 1987

TO: Jack McGrory, Deputy City Manager
FROM: City Attorney
SUBJECT: Balboa Park - Naval Hospital Site - Use for
Administrative Offices

As you know, the matter of potential future use of the old Naval Hospital buildings was referred to the Public Facilities and Recreation Committee for additional discussion.

In connection with any reports to be made to the Committee, it is recommended that the legal problems of utilizing dedicated park property for City office and storage purposes be discussed. This issue relates to both the matter of office space for the City's Park and Recreation Department as well as the Park and Recreation Department's maintenance facility and the Central Operations Station.

As we have discussed, dedicated park land may be utilized for storage and City office space only when the office space is needed to house the administrators of the park in which the office space is located and only when the storage of equipment involves equipment needed for the maintenance of the park in which the equipment is stored.

While there are no court decisions on point, it seems logical to conclude that, in the event administrators based in Balboa Park utilize the majority of their time on Balboa Park matters, offices for such persons may be retained in Balboa Park even though such administrators also spend a portion of their time administering other City parks.

The same conclusion seems appropriate with regard to the storage of park maintenance and Central Operations equipment.

JOHN W. WITT, City Attorney
By
Harold O. Valderhaug
Deputy City Attorney

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